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Washington, Friday, January 3, 1947

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9816

PROVIDING FOR THE TRANSFER OF PROPERTIES AND PERSONNEL TO THE ATOMIC ENERGY COMMISSION

By virtue of the authority vested in me by the Constitution and the statutes, including the Atomic Energy Act of 1946, and as President of the United States and Commander in Chief of the Army and the Navy, it is hereby ordered and directed as follows:

1. There are transferred to the Atomic Energy Commission all interests owned by the United States or any Government agency in the following property:

(a) All fissionable material; all atomic weapons and parts thereof; all facilities, equipment, and materials for the processing, production, or utilization of fissionable material or atomic energy; all processes and technical information of any kind, and the source thereof (including data, drawings, specifications, patents, patent applications, and other sources) relating to the processing, production, or utilization of fissionable material or atomic energy; and all contracts, agreements, leases, patents, applications for patents, inventions and discoveries (whether patented or unpatented), and other rights of any kind concerning any such items.

(b) All facilities, equipment, and materials, devoted primarily to atomic energy research and development.

2. There also are transferred to the Atomic Energy Commission all property, real or personal, tangible or intangible, including records, owned by or in the possession, custody or control of the Manhattan Engineer District, War Department, in addition to the property described in paragraph 1 above. Specific items of such property, including records, may be excepted from transfer to the Commission in the following manner:

(a) The Secretary of War shall notify the Commission in writing as to the specific items of property or records he wishes to except; and

(b) If after full examination of the facts by the Commission, it concurs in the exception, those specific items of property or records shall be excepted from transfer to the Commission; or

(c) If after full examination of the facts by the Commission, it does not concur in the exception, the matter shall be referred to the President for decision.

3. The Atomic Energy Commission shall exercise full jurisdiction over all interests and property transferred to the Commission in paragraphs 1 and 2 above, in accordance with the provisions of the Atomic Energy Act of 1946.

4. Any Government agency is authorized to transfer to the Atomic Energy Commission, at the request of the Commission, any property, real or personal, tangible or intangible, acquired or used by such Government agency in connection with any of the property or interests transferred to the Commission by paragraphs 1 and 2 above.

5. Each Government agency shall supply the Atomic Energy Commission with a report on, and an accounting and inventory of, all interests and property, described in paragraphs 1, 2 and 4 above, owned by or in the possession, custody, or control of such Government agency, the form and detail of such report, accounting and inventory, to be determined by mutual agreement, or, in case of nonagreement, by the Director of the Bureau of the Budget.

6. (a) There also are transferred to the Atomic Energy Commission, all civilian officers and employees of the Manhattan Engineer District, War Department, except that the Commission and the Secretary of War may by mutual agreement exclude any of such personnel from transfer to the Commission.

(b) The military and naval personnel heretofore assigned or detailed to the Manhattan Engineer District, War Department, shall continue to be made available to the Commission, for military and naval duty, in similar manner, without prejudice to the military or naval status of such personnel, for such periods of time as may be agreed mutually by the Commission and the Secretary of War or the Secretary of the Navy.

7. The assistance and the services, personal or other, including the use of property, heretofore made available by

(Continued on p. 39)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 238), which were carried under "Notices" prior to January 1, 1947, are now presented in a new section entitled "Proposed Rule Making". Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

[1] E. O. 9816.

CODIFICATION GUIDE—Con.

CODIFICATION GUIDE—Con.

any Government agency to the Manhattan Engineer District, War Department, shall be made available to the Atomic Energy Commission for the same purposes as heretofore and under the arrangements now existing until terminated after 30 days notice given by the Commission or by the Government agency concerned in each case.

8. The Commission is authorized to exercise all of the powers and functions vested in the Secretary of War by Executive Order No. 9001, of December 27, 1941, as amended, in so far as they relate to contracts heretofore made by or hereby transferred to the Commission.

9. Such further measures and dispositions as may be determined by the Atomic Energy Commission and any Government agency concerned to be necessary to effectuate the transfers authorized or directed by this order shall be carried out in such manner as the Director of the Bureau of the Budget may direct and by such agencies as he may designate.

10. This order shall be effective as of midnight, December 31, 1946.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 31, 1946.

[F. R. Doc. 46-22112; Filed, Dec. 31, 1946; 5:05 p. m.]

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

PART 1590—SUSPENSION ORDERS

ALLIED MOLASSES CO., INC.

Pursuant to an order of the Acting Administrator, Production and Marketing Administration, dated December 3, 1946 (11 F. R. 14131), a hearing was accorded the Allied Molasses Company, Inc., on December 6, 1946, for the purpose of affording that company an opportunity to present evidence in support of its contention that third parties who in the past have purchased its products have suffered undue and unreasonable hardship by reason of a suspension order heretofore issued against the company on August 16, 1946 (11 F. R. 9329).

From the evidence adduced at the hearing it appears that the aforesaid suspension order is working an unreasonable hardship on persons who are necessarily solely dependent upon that company for blackstrap molasses or for products derived therefrom. It also appears that no other company is in a position to satisfy the requirements of such persons.

Upon due consideration of all of the facts established by the record, *It is ordered*, That paragraph (a) of the aforesaid suspension order be, and the same is, hereby amended to read as follows:

§ 1590.15 *Suspension against Allied Molasses Company, Inc., 386 Smith Street, Perth Amboy, New Jersey.* (a) The respondent, Allied Molasses Company, Inc., 386 Smith Street, Perth Amboy, New Jersey, shall not accept deliveries of edible molasses, as that term is defined in War Food Order No. 51, as amended, until its basic quota of 382,800 gallons, by quarterly accumulations of 95,700 gallons per quarter, shall in the aggregate exceed its over-use of 504,193 gallons: *Provided, however*, That Allied Molasses Company, Inc., may accept delivery of blackstrap molasses containing not over 76 percent sugars, on the dry basis, equal to one-half of its yearly quota, or 191,400 gallons during each marketing year, and to use such blackstrap molasses equal to one-half of its quarterly quota of 47,850 gallons during each calendar quarter until the unused part of its basic quota of 382,800 gallons, by quarterly accumulations of 47,850 gallons per quarter, shall in the aggregate equal its over-use of 504,193 gallons; *And provided further*, That blackstrap molasses, as hereinabove defined may be accepted as hereinabove set forth by Allied Molasses Company, Inc., for the following purposes only: (1) for the manufacture of products for distribution in consumer-size containers, not to exceed 32 ounces, and (2) for the bulk manufacture of thick and thin soy sauces.

The petition of Allied Molasses Company, Inc., for relief from hardship is, in all other respects, denied.

This order shall become effective upon issuance thereof.

(E. O. 9280, Dec. 5, 1942, 7 F. R. 10179; E. O. 9322, Mar. 26, 1943, 8 F. R. 3807; E. O. 9334, Apr. 19, 1943, 8 F. R. 5423; E. O. 9577, June 29, 1945, 10 F. R. 8087; and WFO 78, Amdt. 2, 10 F. R. 13041; 11 F. R. 5105)

Issued this 30th day of December 1946.

[SEAL] C. C. FARRINGTON,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 47-46; Filed, Jan. 2, 1947; 8:47 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[B. A. I. Order 373]

PART 94—RINDERPEST AND FOOT-AND-MOUTH DISEASE; PROHIBITED AND RESTRICTED IMPORTATION

MEXICO

Section 94.1 *Existence of rinderpest or foot-and-mouth disease; importations prohibited* of Part 94, Chapter I, Title 9, Code of Federal Regulations (B. A. I. Order 373), as amended, is hereby further amended by adding Mexico to the list of countries named therein, as I have

determined that foot-and-mouth disease now exists in Mexico and have so notified the Secretary of the Treasury.

The protection of the livestock interests of the United States demands that this amendment be made effective at the earliest possible moment. Accordingly, notice and public procedure thereon, as provided for in section 4 (a) of the Administrative Procedure Act (Act of Congress approved June 11, 1946, 60 Stat. 238) are impracticable and contrary to the public interest, and there is good cause for finding that compliance with the publication requirements of section 4 (c) of that act is unnecessary. Neither notice nor hearing is required by any other statute.

This notice shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 306 (a) and (c), 46 Stat. 689; 19 U. S. C. 1306)

Done at Washington, D. C., this 30th day of December 1946.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-23; Filed, Jan. 2, 1947; 8:49 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

PART 221—LOANS BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

DETERMINATION AND EFFECT OF PURPOSE OF LOAN

The following interpretation under this part relating to loans by banks for the purpose of purchasing or carrying registered stocks was issued by the Board of Governors of the Federal Reserve System on December 24, 1946:

§ 221.101 *Determination and effect of purpose of loan.* Under this part the original purpose of a loan is controlling. In other words, if a loan originally is not for the purpose of purchasing or carrying registered stocks, changes in the collateral for the loan do not change its exempted character.

However, a so-called increase in the loan is necessarily on an entirely different basis. So far as the purpose of the credit is concerned, it is a new loan, and the question of whether or not it is subject to this part must be determined accordingly.

Certain facts should also be mentioned regarding the determination of the purpose of a loan. Section 221.3 (a) provides in that connection that "a bank may rely upon a statement with respect thereto, accepted by the bank in good faith, signed by an officer of the bank or by the borrower." The requirement of "good faith" is of vital importance here. Its application will necessarily vary with the facts of the particular case, but it is clear that the bank must be alert to the circumstances surrounding the loan. For example, if the loan is to be made to a customer who is not a broker or dealer in securities, but such a broker or dealer is to deliver registered stocks to secure the loan or is to receive the proceeds of the loan, the bank would be put on notice that the loan would probably be subject to this part. It could not accept in good faith a statement to the contrary without obtaining a reliable and satisfactory explanation of the situation.

Furthermore, the "purpose" of a loan means just that. It cannot be altered by some temporary application of the proceeds. For example, if a borrower is to purchase Government securities with the proceeds of a loan, but is soon thereafter to sell such securities and replace them with registered stocks, the loan is clearly for the purpose of purchasing or carrying registered stocks. (Secs. 3 (a), (b), 7, 48 Stat. 882, 886, sec. 23 (a), as amended by sec. 8, 49 Stat. 1379; 15 U. S. C. 78c, 78g, 15 U. S. C., Sup., 78w (a))

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
MERRITT SHERMAN,
Assistant Secretary.

[F. R. Doc. 47-17; Filed, Jan. 2, 1947; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 340-B [1]]

LIMITED MECHANIC CERTIFICATE WITH PROPELLER OR AIRCRAFT APPLIANCE RATING

EXTENSION OF EFFECTIVE PERIOD

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of December 1946.

It appearing that: Special Civil Air Regulation Serial Number 340 expires December 31, 1946; it was intended that the provisions of this regulation would be included in the revision of Part 24, Mechanic Certificates, prior to December 31, 1946; it has not been possible to complete the revision of Part 24 within such time.

The Board finds that the purpose of this regulation is to continue the issuance and effectiveness of limited mechanic certificates until such time as these provisions are included in Part 24; the extension of Special Civil Air Regulation Serial Number 340 should be made effective December 31, 1946, for an additional 6-month period, within which time it is expected that the revision of Part 24 will be completed; and that compliance with paragraphs (a) and (b) of section 4 of the Administrative Procedure Act is unnecessary in the public interest.

Now, therefore: Effective December 31, 1946, Special Civil Air Regulation Serial Number 340 is amended by striking the words "December 31, 1946" and inserting in lieu thereof the words "June 30, 1947."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-51; Filed, Jan. 2, 1947; 8:45 a. m.]

[1] Reg. 340, 10 F. R. 7790, Reg. 340-A, 11 F. R. 31.

[Civil Air Reg., Amdt. 20-4]

PART 20—PILOT CERTIFICATES

EXCHANGE OF PILOT CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of December 1946.

It appearing that: § 20.55 of the Civil Air Regulations does not provide for the exchange of pilot certificates issued between January 1, 1942, and July 1, 1945; it is desirable to have all effective pilot certificates issued in accordance with the provisions of Part 20, effective July 1, 1945; the exchange of certificates required by this amendment may be accomplished by the holders of pilot certificates merely by presentation of their private or commercial pilot certificates.

The Board finds that this amendment is for the purpose of clarifying § 20.55 of the Civil Air Regulations, that it imposes no substantive restriction, and that compliance with paragraphs (a) and (b) of section 4 of the Administrative Procedure Act is unnecessary in the public interest.

Now, therefore: Effective December 24, 1946, § 20.55 of the Civil Air Regulations is amended to read as follows:

§ 20.55 *Exchange of certificates.* A private or commercial pilot certificate which was effective on or after January 1, 1942, and which was issued prior to July 1, 1945, will expire on July 1, 1947. Such certificate may be exchanged at any time prior to July 1, 1947, for a pilot certificate and the appropriate ratings provided for in this part. (52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-52; Filed, Jan. 2, 1947; 8:47 a. m.]

[Civil Air Regs., Amdt. 35-0]

PART 35—FLIGHT ENGINEER CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 24th day of December 1946.

It appearing that: The proposal to adopt a new Part 35 of the Civil Air Regulations to provide certification standards for the issuance of flight engineer certificates was circulated to the air carrier industry and to the interested aviation organizations on February 15, 1946, with the request for the submission of any comments and suggestions not later than May 1, 1946; the comments submitted by interested parties have been con-

sidered by the Board and the oral comment submitted at various discussion meetings by interested persons has also been considered by the Board; it is desirable to provide for the certification of flight engineers who will serve in connection with civil aircraft as provided by the aircraft operation rules of the Civil Air Regulations.

The Civil Aeronautics Board finds that the notice and public procedure provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary and that this regulation should become effective 90 days after the adoption date.

Now, therefore; Effective March 15, 1947, the Civil Air Regulations are amended by adopting a new Part 35, Flight Engineer Certificates, to read as follows:

In accordance with the provisions of Title VI of the Civil Aeronautics Act of 1938 it is unlawful for any person to serve in any capacity as an airman in connection with any civil aircraft used in air commerce without an airman certificate authorizing him to serve in such capacity, or in violation of the terms of any such certificate. A flight engineer falls within the definition of airman as defined in that act.

The purpose of this part is to provide a means for compliance with the airman requirements of Title VI of the act with respect to the use in air commerce of those types of aircraft which require the services of flight engineers by providing the standards by which flight engineers may be certificated as airmen.

Sec.
35.0 Requirements for certificate.
35.00 Issuance.
35.01 Age.
35.02 Citizenship.
35.03 Education.
35.04 Physical standards.
35.05 Experience.
35.06 Knowledge.
35.07 Skill.
35.1 Certification rules.
35.10 Application.
35.11 Duration.
35.12 Surrender.
35.13 Reexamination.

AUTHORITY: §§ 35.0 to 35.13, inclusive, issued under 52 Stat. 984, 1007; 49 U. S. C. 425, 551.

§ 35.0 *Requirements for certificate.*

§ 35.00 *Issuance.* A flight engineer certificate will be issued to an applicant who meets the following requirements:

§ 35.01 *Age.* Applicant shall be at least 21 years of age.

§ 35.02 *Citizenship.* Applicant shall be a citizen of the United States or of a foreign government which grants reciprocal flight engineer privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

§ 35.03 *Education.* Applicant shall be able to read, write, speak, and understand the English language.

§ 35.04 *Physical standards.* Applicant shall meet the physical standards of the second class prescribed in Part 29 of this chapter.

§ 35.05 *Experience.* Applicant shall:

(a) Have had at least 4 years of diversified practical experience in the maintenance and repair of aircraft and aircraft engines, or

(b) Hold a degree in engineering from a recognized college, university, or engineering school and in addition have had at least one year of diversified practical experience in the maintenance and repair of aircraft and aircraft engines, or

(c) Have had at least 200 hours of flight experience in the duties of a flight engineer, or

(d) Have satisfactorily completed a course of ground and flight instruction in at least the items specified in § 35.06 which the Administrator has found adequate for the training of a flight engineer, or

(e) Have had at least 200 hours as a pilot in command of an aircraft having 4 engines or more.

§ 35.06 *Knowledge.* Applicant shall pass a written examination on the following subjects pertaining to aircraft having 4 engines and certificated in the transport category:

(a) Responsibilities and limitations of a flight engineer as specified in the Civil Air Regulations;

(b) Theory of flight and elementary aerodynamics;

(c) Aircraft performance and aircraft engine operation with respect to limitations;

(d) Mathematical computations of engine operation and fuel consumption, including basic meteorology with respect to engine operation;

(e) Aircraft loading and center of gravity computations;

(f) Basic aircraft maintenance and operating procedures.

§ 35.07 *Skill.* Applicant shall pass a practical test in the duties of a flight engineer during flight, on an aircraft having 4 engines and certificated in the transport category, and shall demonstrate competency with respect to:

(a) Normal duties and procedures relating to aircraft, aircraft engines, propellers, and appliances;

(b) Recognition of the malfunctioning of aircraft, aircraft engines, propellers, and appliances, and the taking of appropriate action thereon;

(c) Emergency duties and procedures relating to aircraft, aircraft engines, propellers, and appliances.

§ 35.1 *Certification rules.*

§ 35.10 *Application.* Application shall be made on a form and in the manner prescribed by the Administrator.

§ 35.11 *Duration.* A flight engineer certificate shall remain in effect unless it is suspended, or revoked, or a general termination date for such certificate is fixed by the Board.

§ 35.12 *Surrender.* Any flight engineer shall, upon request, deliver his certificate to the Administrator, if it has been suspended or revoked.

§ 35.13 *Reexamination.* Applicants who have failed in any examination may apply for reexamination on the part failed after 30 days from the date of such failure.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-49; Filed, Jan. 2, 1947; 8:47 a. m.]

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 651—PROCEDURE OF THE CIVIL AERONAUTICS ADMINISTRATION

CIVIL PENALTY

Acting pursuant to the authority vested in me by the Civil Aeronautics Act of 1938 as amended, (52 Stat. 973, 1015, 54 Stat. 1233, 1235, 1236) and in accordance with the Administrative Procedure Act (Public Law 404, 79th Congress, 2d Session), I hereby amend Part 651, Procedure of the Civil Aeronautics Administration as follows:

1. By amending § 651.21 (b) (11 F. R. 177A-320) to read as follows:

§ 651.21 *Violations of Titles V and VI of the Civil Aeronautics Act of 1938.*
* * *

(b) *Civil penalty.* (1) Pursuant to section 901 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 973, 1015, 54 Stat. 1233, 1235, 1236, 49 U. S. C. 401, 621), any person who violates any provisions of Titles V or VI of such act or section 11 of the Air Commerce Act of 1926, as amended (44 Stat. 568, 45 Stat. 933, 49 U. S. C. 171, 181), shall be subject to a civil penalty of not to exceed $1,000 for each such violation, and any such penalty may be compromised by the Administrator. In the event a civil penalty is contemplated by the Administrator and it is considered advisable to compromise the amount of such civil penalty, the Regional Attorney, or an official of the office of the General Counsel sends a letter to the alleged violator advising him of the provisions of the act or the regulations alleged to have been violated and of his opportunity to compromise the civil penalty. If an offer of compromise in a specified amount is made, the offer is submitted to the Administrator of Civil Aeronautics with a recommendation respecting its acceptance. The Administrator, or the Deputy Administrator may accept or refuse the offer of compromise. If the offer of compromise is accepted, the alleged violator is notified by letter of its acceptance and that such acceptance constitutes full settlement of any civil penalties due under the Act by reason of the alleged violation.

(2) Any person, after receipt of a letter from a Regional Attorney or an official of the Office of the General Counsel informing him of an alleged violation, may submit to the official signing the notice of civil penalty, either orally or in writing, any material or information in answer to or tending to explain, mitigate or extenuate the alleged violation. Any material or information thus submitted will be considered in making the final de-

termination of the amount at which the civil penalty will be compromised.

(3) If a compromise settlement of the civil penalty cannot be effected, the matter will be determined through trial of the case in the United States District Courts upon a civil complaint filed pursuant to section 903 of the Civil Aeronautics Act of 1938, as amended.

(52 Stat. 975, 1015, 54 Stat. 1233, 1235, 1236, Pub. Law 404, 79th Cong.; 49 U. S. C. 401, 621)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-27; Filed, Jan. 2, 1947, 8:48 a. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 2—SPECIAL STUDIES AND SERVICES BY BUREAUS OF THE DEPARTMENT OF COMMERCE

LIMITATIONS OF AUTHORITY; PROCEDURE GOVERNING MAKING OF REQUESTS AND ESTIMATING COSTS

In accordance with Department Order No. 59, effective December 24, 1946, §§ 2.2 and 2.3 (a) (15 CFR, Cum. Supp. 2.2 and 2.3) are revised to read as follows:

§ 2.2 *Limitations of authority.* The minimum charge for any study, compilation or transcript shall be $1. Heads of primary organization units are authorized to approve projects up to an estimated cost of $1,000. All projects estimated to cost more than $1,000 shall be submitted to the Director of the Office of Budget and Managament for review and concurrence. The Director of the Office of Budget and Management shall present all projects estimated to cost more than $10,000 to the Secretary for his approval. No study under the authority of this act shall be approved which would violate existing or future acts requiring that information furnished by contributors be held confidential.

§ 2.3 *Procedure governing the making of requests and estimating costs.* (a) Each applicant desiring a special study or other service authorized by this act shall submit a formal written request therefor. Such request shall be submitted to the head of the primary organization unit concerned who shall either approve or disapprove the request after study of the nature and scope of the project, the estimated cost thereof, and other pertinent information.

(49 Stat. 292; 5 U. S. C. 601d, 15 U. S. C. 189a, 192)

Dated: December 24, 1946.

[SEAL] WILLIAM C. FOSTER,
Acting Secretary of Commerce.

[F. R. Doc. 47-40; Filed, Jan. 2, 1947; 8:46 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

EXTENSION OF EXEMPTION FROM REGISTRATION TO CERTAIN GUARANTEES BY FOREIGN GOVERNMENTS

The Securities and Exchange Commission, acting pursuant to the Securities Act of 1933, particularly sections 3 (b) and 19 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby amends paragraph (e) of § 230.-221 (Rule 221 (e) of Regulation A) to read as follows:

§ 230.221 *Securities excluded from exemptions.* * * *

(e) Any securities issued by an individual who is a resident of a foreign country, a corporation incorporated in a foreign country, or any other person organized under the laws of, or having its principal place of business in, a foreign country; *Provided,* That this regulation shall apply to the guarantee by a foreign government of securities of a political subdivision of such foreign government offered in exchange for other securities of such political subdivision;

The Commission finds that the foregoing amendment relieves restriction and that notice and public procedure pursuant to sections 4 (a) and (b) of the Administrative Procedure Act are unnecessary and that the amendment may be declared effective immediately pursuant to section 4 (c) of that act. Accordingly, the amendment shall become effective December 27, 1946.

(Secs. 3 (b), 19 (a), 48 Stat. 76, 85; 15 U. S. C. 77c, 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

DECEMBER 27, 1946.

[F. R. Doc. 47-6; Filed, Jan. 2, 1947; 8:52 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 500—GENERAL

FIELD ORGANIZATION

Section 500.22 *Field organization,* paragraph (b), subparagraph (5) *Locations* (11 F. R. 177A-886) is amended, effective December 16, 1946, by:

1. Opposite the State of Indiana, in the column headed "City," and directly below "Indianapolis" adding "Gary[1]" and, on the same horizontal line, in the column headed "Address," adding "541 Broadway"; and in the column headed "Jurisdiction", adding "(See Indianapolis)".

(Sec. 1, 48 Stat. 1246; 12 U. S. C. and Sup., 1702)

[SEAL] R. WINTON ELLIOTT,
Assistant Commissioner.

DECEMBER 20, 1946.

[F. R. Doc. 47-18; Filed, Jan. 2, 1947; 8:49 a. m.]

Chapter VIII—Office of Housing Expediter

[Premium Payments Reg. 5, Amdt. 3]

PART 805—PREMIUM PAYMENTS REGULATION UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

CONVECTORS

Section 805.5 (Housing Expediter Premium Payments Regulation No. 5) is amended in the following respect:

The first sentence of paragraph (k) is amended to read as follows:

(k) *Termination.* This section shall terminate on January 31, 1947.

Issued and effective this 30th day of December 1946.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 46-22111; Filed, Dec. 31, 1946; 3:53 p. m.]

[Premium Payments Reg. 3, as Amended Dec. 3, 1946, Amdt. 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

MERCHANT GYPSUM LINER

Section 805.3 (Housing Expediter Premium Payments Regulation 3) is amended as follows:

1. By deleting paragraph (1) and substituting therefor a new paragraph reading as follows:

(1) *Termination.* This section shall terminate on January 31, 1947. Such termination shall not preclude the filing of claims for payments during February, 1947, on account of shipments made during the month of January, 1947. Such claims shall be dealt with in accordance with the provisions of this section in the same manner as if it had not been terminated.

2. This amendment shall be effective as of January 1, 1947.

3. Issued this 31st day of December 1946.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-118; Filed, Jan. 2, 1947; 11:16 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

APPENDIX B TO PART 131—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

CERTAIN COMMUNICATIONS WITH GERMANY AND JAPAN AND CERTAIN ACTS EXEMPTED FROM GENERAL RULING NO. 11

Public Circular No. 34 under Executive Order No. 8389, as amended, Executive Order No. 9193, as amended, sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, 1941, relating to foreign funds control.

(1) There are hereby exempted from the provisions of General Ruling No. 11:

(a) Any communication of a financial, commercial, or business character with any person within Germany or Japan;

(b) Any act involving any such communication; and

(c) Any act for the benefit or on behalf of any person within Germany or Japan;

Provided, That any such communication or act is limited to the ascertainment of facts or the exchange of information.

(2) Attention is directed to rules of procedure § 501.6 (General Order No. 6)[1] and the regulations thereunder issued by the Office of Alien Property, Department of Justice, pertaining to service of notice in certain court or administrative actions or proceedings.

(Sec. 3 (a), 40 Stat. 412, sec. 5 (b), 40 Stat. 415, 966, sec. 2, 48 Stat. 1, 54 Stat. 179, sec. 301, 55 Stat. 839; 50 U. S. C. App. 3 (a), 12 U. S. C. 95a, 50 U. S. C. App. Sup., 5 (b); E. O. 8389, April 10, 1940, as amended by E. O. 8785, June 14, 1941, E. O. 8832, July 26, 1941, E. O. 8963, Dec. 9, 1941, and E. O. 8998, Dec. 26, 1941, E. O. 9193, July 6, 1942, as amended by E. O. 9567, June 8, 1945; 3 CFR, Cum. Supp., 10 F. R. 6917; Regulations, April 10, 1940, as amended June 14, 1941, February 19, 1946, and June 28, 1946; 31 CFR, Cum. Supp., 130.1–7, 11 F. R. 1769, 7184)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47–4; Filed, Jan. 2, 1947; 8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

EXPORT LICENSES

ORDER EXTENDING VALIDITY

It is hereby ordered, That all outstanding export licenses, except licenses to export coal, Department of Commerce Schedule B Nos. 500100 and 500200, which expire by their own terms, or the terms of an order of extension heretofore issued, during the period January 2, 1947, through January 15, 1947, are extended through January 16, 1947: *Provided,* That shipments made under such licenses are exported by ocean carriers from ports on the West Coast of the United States or from Hawaii.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 50 Stat. 215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245)

Dated: December 27, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control, Commodities Branch.

[F. R. Doc. 47–44; Filed, Jan. 2, 1947; 8:53 a. m.]

[Amdt. 285]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodities:

Dept. of Comm. Sched. B No.	*Commodity*
	Dairy products:
	Milk and cream:
006200	Evaporated (unsweetened).
	Cheese, processed, blended and spreads:
006755	Processed American cheddar.
006758	Other cheese, processed, blended and spreads.
	Cheese, whether or not in original loaves except any cheese processed other than by division into pieces:
006795	American cheddar.
006798	Other.
	Wood, unmanufactured:
	Logs and hewn timber (indicate quantity scale) (include stumps and burls):
	Hardwoods (report burls in 400600):
400200	Cottonwood and aspen.
	Sawmill products (lumber):
	Boards, planks and scantlings, less than 5" in least dimension:
	Hardwoods:
411700	Ash.
413400	Wagon-oak planks (include railway car material).
	Small hardwood dimension stock:
413600	Handle blanks only.
	Wood manufactures:
421401	Plywood, aero grade.
421405	Plywood, hardwood, except aero grade.
421409	Plywood, softwood, except Douglas fir and aero grade.
422200	Lath.
422500	Shingles (square coverage of 100 sq. ft.).
	Other nonmetallic minerals, including precious:
	Gypsum, and manufactures:
548400	Calcined (plaster of paris).
	Steel mill products:
603510	Steel sheets, black, ungalvanized (hot and cold rolled included) containing no alloy; 0.40% or more carbon content, only.
603711	Iron and steel strip (cold rolled) containing no alloy; 0.40% or more carbon content, only.
	Chemical specialties:
823800	Arctic syntex M.
823800	Igepon T.
823800	Igepon TD.
823800	MP 189.
823800	MP 189 SX.
823800	MP 646.
823800	Nacconal HG.
823800	Nacconal NR.
823800	Nacconal NRG.
823800	Nacconal NRSF.
823800	Neutronyx 33.
823800	Santomerse No. 1.
823800	Santomerse No. 3.
823800	Santomerse No. 55.
823800	Synthetic detergent 92.
823800	Ultrawet A.
823800	Ultrawet 40 A.
823800	Ultrawet 60 A.
823800	Vel.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245)

Dated: December 26, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control, Commodities Branch.

[F. R. Doc. 47–41; Filed, Jan. 2, 1947; 8:46 a. m.]

[Amdt. 283]

PART 816—LIMITED DISTRIBUTION LICENSE FOR WOMEN'S AND CHILDREN'S FINISHED AND UNFINISHED NYLON HOSIERY

Part 816—Limited Distribution License For Women's and Children's Finished and Unfinished Nylon Hosiery is hereby revoked. The revocation of this part does not affect the validity of licenses issued thereunder authorizing exportation to countries in Group E as set forth in § 802.3 of this subchapter. Licenses authorizing shipment to Group E countries may be used until the full amount licensed for export to those countries has been shipped or until the validity period of the licenses has expired, whichever is sooner.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245)

Dated: December 23, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control, Commodities Branch.

[F. R. Doc. 47–43; Filed, Jan. 2, 1947; 8:54 a. m.]

[1] For text see 8 CFR Cum. Supp. 503.6; redesignated 501.6, 11 F. R. 9988).

[Amdt. 284]

PART 802—GENERAL LICENSES

GIFT PARCELS TO ENEMY PRISONERS OF WAR

Section 802.31 *Gift parcels to enemy prisoners of war* is hereby amended as follows:

Subparagraph (2) of paragraph (c) is amended to read as follows:

(2) *Gift parcels to prisoners of war in custody of Great Britain.* No gift parcel may be sent under this general license to enemy prisoners of war held by the armed forces of Great Britain except by persons who have received an official label issued by the British Army authorities to prisoners of war and sent to such persons by a prisoner of war. This label must be affixed to address side of the parcel when mailed.

Commodities which may be included in a gift parcel are restricted to nonperishable foodstuffs, clothing, soaps and shaving preparations, medicinals and vitamins, and similar items of a relief nature. No written or printed matter of any kind shall be included in any parcels.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 50 U. S. C. App. Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245)

Dated: December 24, 1946.

FRANCIS MCINTYRE,
Deputy Director for Export Control, Commodities Branch.

[F. R. Doc. 47-42; Filed, Jan. 2, 1947; 8:54 a. m.]

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Revocation of Direction 24]

DISPOSAL OF CERTAIN SURPLUS CHLORINE PRESSURE CARS BY WAR ASSETS ADMINISTRATION

Direction 24 to Priorities Regulation 13 is hereby revoked.

Issued this 2d day of January 7, 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-121; Filed, Jan. 2, 1947; 11:27 a. m.]

Chapter XI—Office of Temporary Controls, Office of Price Administration

PART 1305—ADMINISTRATION

[Administrative Notice 26]

CERTIFICATION OF COMMODITIES IMPORTANT IN RELATION TO BUSINESS COSTS OR LIVING COSTS

Pursuant to the authority vested in me by the Emergency Price Control Act of 1942, as amended, particularly section 1A (d) of said act as added by the Price Control Extension Act of 1946, I hereby find the following commodities to be important in relation to business costs or living costs:

§ 1305.247 *Certification of commodities which are important in relation to business costs or living costs.* * * *

Sugar and sugar solutions derived from sugarcane or sugar beets, including all grades of edible syrups and molasses and blackstrap molasses;

Corn syrup and corn sugar;

Blended syrups which contain at least 20% by weight or volume of sugar, sugar solutions, corn syrup or corn sugar either singly or in combination; and

Rice, rough and milled.

Issued this 30th day of December 1946.

J. W. FOLLIN,
Acting Temporary Controls Administrator.

[F. R. Doc. 47-25; Filed, Jan. 2, 1947; 8:54 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 118 (§ 1418.151)]

SUGAR IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 15 is revoked and a new section 15 is added to read as follows:

SEC. 15. *Maximum prices for sales of fine granulated sugar, washed Hawaiian sugar, and raw cane sugar when sold by producers and primary distributors*—(a) *Definitions.* When used in this section the term:

(1) "Producer" or "primary distributor" means any person who produces or manufactures sugars, or the agent of any such person. The term "agent" shall be deemed to include a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by agents, brokers, factors, or commission merchants.

(2) "Canner" means a canner of pineapples.

(b) *Maximum prices for sales of fine granulated sugar by primary distributors located on the island of Oahu*—(1) *Sales of fine granulated sugar to canners.* (i) For orders placed by the canner with the primary distributor before June 25 of any calendar year, the maximum prices per one hundred pounds shall be as follows:

(*a*) $7.75 when packaged in a paper container.

(*b*) $7.81 when packaged in a cotton container.

(*c*) $7.85 when packaged in a jute container with cotton liner.

(ii) For orders placed by the canner with the primary distributor on and after June 25 of any calendar year, the maximum prices per one hundred pounds shall be:

(*a*) $8.00 when packaged in a paper container.

(*b*) $8.06 when packaged in a cotton container.

(*c*) $8.10 when packaged in a jute container with cotton liner.

(iii) The maximum prices specified in (i) and (ii) above:

(*a*) Include delivery by the primary distributor f. o. b. cars of the Oahu Railway and Land Company at the buyer's cannery in Honolulu, or the depot or wharf of the Oahu Railway and Land Company in Honolulu, or f. a. s. Inter-Island Steamer, at the buyer's option.

(*b*) Shall be discounted by 2% for cash within five days, and time from which the five-day period shall begin to run shall be determined in accordance with the customary practice which existed between the primary distributor and canner prior to the effective date of Maximum Price Regulation 373.

(*c*) Are for a quality and polarization of granulated sugar not below the average quality and polarization delivered to canners by the primary distributor during the calendar year 1942.

(*d*) May be adjusted in accordance with the grade and polarization differentials employed by the primary distributor in the calendar year 1942.

(2) *Sales of fine granulated sugar to persons other than canners.* For sales of fine granulated sugar to persons other than canners, the maximum price per one hundred pounds, f. o. b. seller's refinery, shall be as follows:

(i) $8.00 when packaged in a paper container.

(ii) $8.06 when packaged in a cotton container.

(iii) $8.10 when packaged in a jute container with cotton liner.

(iv) The following amounts may be added to the maximum prices set forth in (2) (i), (ii) and (iii) above for packaging in less than 100 pound packages:

(*a*) For packaging in 5 pound pockets, $0.45 per 100 pounds.

(*b*) For packaging in 10 pound pockets, $0.30 per 100 pounds.

(*c*) For packaging in 25 pound pockets, $0.20 per 100 pounds.

(v) The maximum prices specified in (2) (i), (ii) and (iii) above are for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to persons other than canners during the calendar year 1942, and shall be adjusted in accordance with the grade and polarization differentials employed by the primary distributor in the calendar year 1942.

(c) *Maximum prices for sales of fine granulated sugar by primary distributors*

located on the island of Maui—(1) *Sales of fine granulated sugar to canners.* For sales of fine granulated sugar to canners, the maximum prices per one hundred pounds, f. o. b. railroad cars or buyer's conveyances, Paia, Maui, shall be as follows:

(i) $7.70 when packaged in a paper container.

(ii) $7.76 when packaged in a cotton container.

(iii) $7.80 when packaged in a jute container with cotton liner.

(iv) The maximum prices specified in (c) (1) above are for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to the same class of purchaser during the calendar year 1942, and may be adjusted in accordance with the grade and polarization differentials employed by the primary distributor in December 1942.

(2) *Sales of fine granulated sugar to persons other than canners.* For sales of fine granulated sugar to persons other than canners, the maximum prices per one hundred pounds, f. o. b. seller's refinery, shall be as follows:

(i) $7.75 when packaged in a paper container.

(ii) $7.81 when packaged in a cotton container.

(iii) $7.85 when packaged in a jute container with cotton liner.

(iv) The following amounts may be added to the maximum prices set forth in (i), (ii) and (iii) above for packaging in less than 100 pound packages:

(*a*) For packaging in 5 pound pockets, $0.45 per 100 pounds.

(*b*) For packaging in 10 pound pockets, $0.30 per 100 pounds.

(*c*) For packaging in 25 pound pockets, $0.20 per 100 pounds.

(v) The maximum prices specified in (i), (ii) and (iii) above are for a quality and polarization of fine granulated sugar not below the average quality and polarization delivered to the same class of purchaser during the calendar year 1942, and may be adjusted in accordance with the grade and polarization differentials employed by the primary distributor in December 1942.

(d) *Automatic adjustment of maximum prices.* If, after November 20, 1946, the maximum price established by Maximum Price Regulation 60 applicable to mainland primary distributors of fine granulated cane sugar is increased by the Office of Price Administration, the maximum prices set forth in paragraphs (b) and (c) above may be increased by an amount equal to such increase, subject to the same recapture conditions and any other conditions that may be imposed by the mainland regulation.

(e) *Maximum prices for sales by producers of washed Hawaiian sugar.* (1) Maximum prices for sales by producers of washed Hawaiian sugar (sugar produced in the Territory of Hawaii polarizing between 98° and 99.5°) shall be as follows:

On the island of Maui: $6.47 per 100 lbs. f. o. b. mill.

On all other islands: $6.71 per 100 lbs. delivered to a purchaser on the island on which the producer's mill is located.

(2) Whenever the maximum prices of fine granulated sugar are increased in accordance with the provisions of paragraph (d), the maximum prices set forth in subparagraph (1) above may be increased by the percentage by which the maximum prices established in paragraphs (b) and (c) have been increased, subject to the same recapture conditions and any other conditions that may be imposed by Maximum Price Regulation 60.

(f) *Maximum prices for sales of raw cane sugar.* (1) The maximum price for sales of raw cane sugar in the Territory of Hawaii shall be the applicable maximum price established by Maximum Price Regulation 16 for off-shore raw cane sugar at the port of San Francisco, less an amount equal to ocean freight from the Territory of Hawaii to San Francisco. If, after November 20, 1946, the maximum price is increased by the Office of Price Administration, such increase shall be subject to the same recapture conditions and any other conditions that may be imposed by the mainland regulation.

(g) *Application of Supplementary Regulation 2.* The provisions of this section 15 supersede the provisions of sections 2 and 5 of Supplementary Regulation 2 to the General Maximum Price Regulation for the Territory of Hawaii with respect to the sale, purchase and delivery of raw cane and washed Hawaiian sugars, except that the recapture provisions thereof shall remain in effect until the conditions imposed by such provisions have been complied with.

This amendment shall become effective as of November 20, 1946.

Issued this 30th day of December 1946.

J. W. FOLLIN,
Acting Temporary Controls Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 118 to Revised Maximum Price Regulation 373

The accompanying amendment revises section 15 of Revised Maximum Price Regulation 373 and accomplishes the following:

First, controls of raw cane and washed Hawaiian sugars are removed from Supplementary Regulation 2 to the General Maximum Price Regulation for the Territory of Hawaii and brought within the coverage of section 15 so as to centralize controls of all sugars at all levels in a single regulation. Thus, section 15 now provides for sales by producers and primary distributors of raw and fine granulated cane sugars and washed Hawaiian sugars; sections 39 and 40 of Revised Maximum Price Regulation 373 continue to provide, as heretofore, for sales of all sugars at the retail and wholesale levels, respectively. The recapture provisions of Supplementary Regulation 2 remain in effect, however, as applied to stocks held in inventory on September 18, 1946, the date when maximum prices of raw cane and refined sugars were increased by 1.37 and 1.5 cents per pound, respectively.

Second, the maximum prices of raw cane sugar are increased 36.5 cents per hundredweight and of fine granulated sugar 40 cents per hundredweight, and maximum prices of washed Hawaiian sugar are also increased proportionately. These are the same increases that were authorized on the mainland on November 20, 1946, and are made applicable to the Territory for the same reasons the earlier increases were made to apply as explained in the applicable statements of considerations.

Third, an automatic adjustment provision is provided under which maximum prices may be increased by the same amount of any increases granted on the mainland after November 20, 1946, subject, however, to the same recapture conditions and any other conditions that may be imposed by mainland regulations. As the prices of sugars produced and sold in the Territory have always been tied to mainland prices and considered together, the automatic adjustment provision will remove the necessity of amending the regulation to authorize the same increases granted to mainland sellers. In this connection, a different method for pricing raw cane sugar is provided by this amendment. Heretofore, under Supplementary Regulation 2, a seller's maximum price for raw cane sugar was the price established for him by the General Maximum Price Regulation for Hawaii plus such increases as were authorized. Under this amendment, a seller's maximum price of raw cane sugar is the applicable maximum price established by Maximum Price Regulation 16 for off-shore raw cane sugar at the port of San Francisco, less an amount equal to the ocean freight from the Territory to San Francisco. The resulting maximum price in the Territory would be the same whether determined under section 15 or under Supplementary Regulation 2 but the method now provided for pricing raw cane sugar will, as in the case of fine granulated and washed sugars, avoid the necessity of amending the reguation to provide for an increased price should any increase be granted to mainland sellers of raw sugar in the future.

Lastly, the provisions pertaining to "classes of purchasers" have been eliminated because the only distinct class of purchaser—canners of pineapples—is recognized by the establishment of separate ceiling prices applicable to sales to canners. The prices so established are the prices which prevailed prior to this amendment.

Prior to this amendment representative members of the industry were advised and consulted and their recommendations—some of which are incorporated in this amendment—were considered. For the foregoing reasons, the Administrator finds that the actions taken by this amendment are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and the applicable Executive orders.

[F. R. Doc. 47-26; Filed, Jan. 2, 1947; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 13—COMMERCIAL RADIO OPERATORS

[Order 128-B]

APPLICATIONS FOR RENEWAL OF LICENSES

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 17th day of December 1946;

Whereas, The Commission by its Order No. 128-A, adopted June 20, 1946, provided that under certain conditions applications filed or mailed not later than December 31, 1946 for the renewal of certain commercial radio operator licenses, which were valid on December 7, 1941 and had expired, might be acted upon by the Commission notwithstanding the provisions of § 13.11 of the Commission's rules governing commercial radio operators; and

Whereas, It appears that the provisions of Commission Order No. 128-A should be continued for an additional period of six months in order to provide for the renewal of numerous commercial radio operator licenses which have expired or will expire, held by persons serving or who have served in the armed forces of the United States or the United States Maritime Service, or who are or have been employed outside the continental limits of the United States; and

Whereas, The Commission by its Order No. 77-G, adopted today, effective January 1, 1947, has suspended until June 30, 1947 § 13.28 of the Commission's rules in so far as that section requires a showing of service or use as a condition precedent to the renewal of a commercial operator license;

Now, therefore, it is ordered, That any application filed or mailed not later than June 30, 1947, for the renewal of a commercial radio operator license (other than a Temporary Emergency Radiotelegraph Second Class Operator License or a Temporary Limited Radiotelegraph Second Class Operator License) which was valid on or after December 7, 1941 and has expired by its own terms without having been cancelled or suspended, may, until the further order of the Commission, be acted upon, notwithstanding the provisions of § 13.11, if a statement is filed as a part of the renewal application showing that (1) the applicant is serving in the armed forces of the United States or has been honorably discharged therefrom since December 7, 1941; or (2) the applicant is serving in the United States Maritime Service or has voluntarily left that Service since December 7, 1941; or (3) the applicant is or has been employed outside the continental United States and has been unable to file timely application for renewal of license because of such employment outside the continental United States.

It is further found and ordered, That, whereas, authority for this order is contained in sections 303 (l) and (r) of the Communications Act of 1934, as amended, and the effect of the order is to extend for an additional period after December 31, 1946 the relief from certain restrictions as now afforded by Commission Order No. 128-A, and is noncontroversial, and it is in the public interest that this order be made effective not later than January 1, 1947, notice and public procedure required by section 4 of the Administrative Procedure Act are, hereby, found unnecessary, and this order should be, and is hereby, made effective January 1, 1947.

(Sec. 303 (l) and (r), 48 Stat. 1082; 50 Stat. 191, 47 U. S. C. 303 (l), (r))

By the Commission.

[SEAL] WM. P. MASSING, *Acting Secretary.*

[F. R. Doc. 47-45; Filed, Jan. 2, 1947; 8:53 a. m.]

PART 12—AMATEUR RADIO SERVICE
PART 13—COMMERCIAL RADIO OPERATORS

[Order 77-G]

RENEWAL OF LICENSES

At a session of the Federal Communications Commission, held at its office in Washington, D. C. on the 17th day of December 1946;

Whereas, § 12.27 of the Commission's rules governing amateur radio service and § 13.28 of the Commission's rules governing commercial radio operators require a showing of service or use as a condition precedent to the renewal, respectively, of an amateur or commercial operator license; and

Whereas, the Commission by its Order No. 77-F, dated June 20, 1946, suspended until December 31, 1946, § 12.27 of its rules governing amateur radio service and § 13.28 of its rules governing commercial radio operators, in so far as those sections require a showing of service or use as a condition precedent to the renewal, respectively, of an amateur or commercial operator license; and

Whereas, it appears that it would be advisable to extend for an additional period of six months the suspension of the showing of service or use requirement in order to provide a cushion for the full return to normal peacetime procedures;

Now, therefore, it is ordered, That § 12.27 of the Commission's rules governing amateur radio service and § 13.28 of its rules governing commercial radio operators be, and they hereby are, suspended until further order of the Commission, but in no event beyond June 30, 1947.

It is further found and ordered, That, whereas, authority for this order is contained in sections 303 (l) and (r) of the Communications Act of 1934, as amended, and the effect of the order is to extend for an additional period after December 31, 1946 the relief from certain restrictions as now afforded by Commission Order No. 77-F, and is non-controversial, and it is in the public interest that this order be made effective not later than January 1, 1947, notice and public procedure required by section 4 of the Administrative Procedure Act are, hereby, found unnecessary, and this order should be, and is hereby, made effective January 1, 1947.

(Sec. 303 (l) and (r), 48 Stat. 1082, 50 Stat. 191; 47 U. S. C. 303 (l) and (r)

By the Commission.

[SEAL] WM P. MASSING, *Acting Secretary.*

[F. R. Doc. 47-29; Filed, Jan. 2, 1947; 8:53 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 68, Amdt. 13]

PART 95—CAR SERVICE

SUSPENSION OF FOLLOW-LOT RULE AND TWO-FOR-ONE RULE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of the provisions of Service Order No. 68 (8 F. R. 8513), as amended (8 F. R. 8513, 14224, 16265; 9 F. R. 7206, 14306; 10 F. R. 6040, 8142, 9720, 12090; 11 F. R. 562, 6983), and good cause appearing therefor: It is ordered, that:

Section 95.15 *Suspension of follow-lot rule and two-for-one rule*, of Service Order No. 68, as amended, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order as amended shall expire at 11:59 p. m., June 30, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that this order shall become effective at 12:01 a. m., December 31, 1946; that a copy of this order and direction be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-31; Filed, Jan. 2, 1947; 8:47 a. m.]

[S. O. 93, Amdt. 9]

PART 95—CAR SERVICE

GIANT REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of Service Order No. 93 (7 F. R. 8903) as amended, (8 F. R. 13752, 13925; 9 F. R. 2481, 11208; 10 F. R. 15175; 11 F. R. 561, 2189, 14271, 14469, and good cause appearing therefor: it is ordered, that:

Section 95.301 *Giant type refrigerator cars,* of Service Order No. 93, as amended, be, and it is hereby, further amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., June 30, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 12:01 a. m., December 31, 1946; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U. S. C. 1 (10)–(17), 15 (4)).

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-32; Filed, Jan. 2, 1947; 8:47 a. m.]

[S. O. 95, Amdt. 6]

PART 95—CAR SERVICE

APPOINTMENT OF REFRIGERATOR CAR AGENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of the provisions of Service Order No. 95 (7 F. R. 9257), as amended (8 F. R. 17428; 10 F. R. 15175, 15354; 11 F. R. 4038, 6909), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 95, as amended, be, and it is hereby, further amended by substituting the following paragraph (d) of § 95.302, *Refrigerator car agent,* for paragraph (d) thereof:

(d) This order, as amended, shall expire at 11:59 p. m., June 30, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 31, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-33; Filed, Jan. 2, 1947; 8:47 a. m.]

[Rev. S. O. 107, Amdt. 3]

PART 95—CAR SERVICE

FREIGHT CARS TO MEXICO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of Revised Service Order No. 107 (9 F. R. 15158), as amended (10 F. R. 10234; 11 F. R. 2190), and good cause appearing therefor: *It is ordered,* That:

Revised Service Order No. 107, as amended, be, and it is hereby, further amended by substituting the following paragraph (d) of § 95.7 *Freight cars including refrigerator cars in Mexico,* for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m. June 30, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this order shall become effective at 12:01 a. m., December 31, 1946; that copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-39; Filed, Jan. 2, 1947; 8:46 a. m.]

[2d Rev. S. O. 244, Amdt. 5]

PART 95—CAR SERVICE

DISTRIBUTION OF GRAIN CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of the provisions of Second Revised Service Order No. 244 (10 F. R. 2252) as amended (10 F. R. 3094; 11 F. R. 1300, 2190, 6910), and good cause appearing therefor: *It is ordered,* That:

Second Revised Service Order No. 244, as amended, be, and it is hereby further amended by substituting the following paragraph (f) of § 95.244 *Distribution of grain cars,* for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 11:59 p. m., June 30, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this order shall become effective at 12:01 a. m., December 31, 1946; that a copy of this order and direction be served upon all State regulatory bodies regulating common carriers by railroad, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-38; Filed, Jan. 2, 1947; 8:46 a. m.]

[S. O. 562, Amdt. 1]

PART 97—ROUTING OF TRAFFIC

REROUTING OF TRAFFIC; APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of the provisions of Service Order No. 562 (11 F. R. 8286), and good cause appearing therefor: *It is ordered,* That:

Service Order No. 562 be, and it is hereby, amended by substituting the following paragraph (h) of § 95.562, *Rerouting of freight traffic and empty cars, appointment of agent,* for paragraph (h) thereof:

(h) *Expiration date.* This order shall expire at 11:59 p. m., April 30, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 31, 1946; that a copy of this order and direction be served upon the State railroad regulatory bodies of each State, upon all common carriers by railroad subject to the Interstate Commerce Act, and upon the Association of American Railroads, Car Service Division, as agent of the Railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Com-

mission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)–(17), 15 (4))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-35; Filed, Jan. 2, 1947; 8:46 a. m.]

[S. O. 260, Amdt. 4]

PART 95—CAR SERVICE

SALTING OF ICE ON CARS OF CITRUS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December, A. D. 1946.

Upon further consideration of the provisions of Service Order No. 260 (9 F. R. 14547), as amended (10 F. R. 4818; 11 F. R. 8452, 13639), and good cause appearing therefor: it is ordered, that:

Section 95.260, *Salting of ice on cars of citrus*, of Service Order No. 260, as amended, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) This order, as amended, shall expire at 11:59 p. m., June 30, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 12:01 a. m., January 2, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the Railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-37; Filed, Jan. 2, 1947; 8:46 a. m.]

[S. O. 624, Amdt. 3]

PART 95—CAR SERVICE

MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of Service Order No. 624 (11 F. R. 12183), as amended (11 F. R. 13792, 14272), and good cause appearing therefor: It is ordered, that:

Section 95.624 *Movement of grain to terminal elevators by permit*, of Service Order No. 624, as amended, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 7 a. m., March 1, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 12:01 a. m., January 1, 1947; that a copy of this order be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-34; Filed, Jan. 2, 1947; 8:47 a. m.]

[S. O. 434, Amdt. 4]

PART 95—CAR SERVICE

FREE TIME ON BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of December A. D. 1946.

Upon further consideration of the provisions of Service Order No. 434 (11 F. R. 893), as amended (11 F. R. 2190, 10771, 12308), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 434, as amended, be, and it is hereby, further amended by substituting the following paragraph (f) of § 95.434, *Free time on box cars*, for paragraph (f) thereof:

(f) *Expiration date.* This order shall expire at 7:00 a. m., June 30, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, That this order shall become effective at 12:01 a. m., December 31, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101; sec. 402, 41 Stat. 476; sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-36; Filed, Jan. 2, 1947; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Office of the Secretary

[7 CFR, Part 962]

[No. 173]

FRESH PEACHES

NOTICE OF REFERENDUM TO BE CONDUCTED AMONG PRODUCERS IN GEORGIA; DESIGNATION OF REFERENDUM AGENTS TO CONDUCT SUCH REFERENDUM

Pursuant to the applicable provisions of Marketing Agreement No. 99 and Order No. 62 (7 CFR, Cum. Supp., 962.1 et seq.), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), it is hereby directed that a referendum be conducted among the producers who, during the calendar year 1946 (which period is hereby determined to be a representative period) have been engaged, in the State of Georgia, in the production of peaches for market to determine whether a majority of such producers favor the termination of the aforesaid marketing agreement and order. D. M. Rubel, G. A. Nahstoll, and D. K. Young, in the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, are hereby designated as agents of the Secretary of Agriculture to perform, jointly or severally, the following functions in connection with the referendum:

(a) Conduct said referendum in the manner herein prescribed:

(1) By giving opportunity to each of the aforesaid producers to cast his ballot in the manner herein authorized, relative to the aforesaid termination of the marketing agreement and order, on a copy of the appropriate ballot form. A cooperative association of such producers, bona fide engaged in marketing fresh peaches grown in the State of Georgia or in rendering services for or advancing

the interests of the producers of such peaches, may vote for the producers who are members of, stockholders in, or under contract with, such cooperative association (such vote to be cast on a copy of the appropriate ballot form), and the vote of such cooperative association shall be considered as the vote of such producers.

(2) By conducting said referendum during the period January 31 through February 10, 1947, both dates inclusive.

(3) By giving public notice, as prescribed in (a) (4), (i) of the time during which the referendum will be conducted, (ii) that any ballot may be cast by mail, and (iii) that all ballots so cast must be addressed to D. K. Young, Chief, Southeastern Marketing Field Office, Fruit and Vegetable Branch, 449 West Peachtree Street, Atlanta 3, Georgia, and must be postmarked not later than February 10, 1947.

(4) By giving public notice (i) by utilizing available agencies of public information (without advertising expense), including both press and radio facilities in the State of Georgia; (ii) by mailing a notice thereof (including a copy of the appropriate ballot form) to each such cooperative association and to each producer whose name and address is known; and (iii) by such other means as said referendum agents or any of them may deem advisable.

(5) By conducting meetings of producers and arranging for balloting at the meeting places, if said referendum agents or any of them determines that voting shall be at meetings. At each such meeting, balloting shall continue until all of the producers who are present, and who desire to do so, have had an opportunity to vote. Any producer may cast his ballot at any such meeting in lieu of voting by mail.

(6) By giving ballots to producers at the meetings; and receiving any ballots when they are cast.

(7) By securing the name and address of each person casting a ballot, and inquiring into the eligibility of such person to vote in the referendum.

(8) By giving public notice of the time and place of any meetings authorized hereunder by posting a notice thereof, at least two days in advance of each such meeting, at each such meeting place, and in two or more public places within the applicable area; and, so far as may be practicable, by giving additional notice in the manner prescribed in paragraph (a) (4).

(9) By forwarding to D. K. Young, Chief, Southeastern Marketing Field Office, Fruit and Vegetable Branch, 449 West Peachtree Street, Atlanta 3, Georgia, immediately after the close of the referendum, the following:

(i) A register containing the name and address of each producer to whom a ballot form was given;

(ii) A register containing the name and address of each producer from whom an executed ballot was received;

(iii) All of the ballots received by the respective referendum agent in connection with the referendum, together with a certificate to the effect that the ballots forwarded are all of the ballots cast and which were received by the respective agent during the referendum period;

(iv) A statement showing when and where each notice of referendum posted by said agent was posted and, if the notice was mailed to producers, the mailing list showing the names and addresses to which the notice was mailed and the time of such mailing; and,

(v) A detailed statement reciting the method used in giving publicity to such referendum.

(10) By appointing any county agricultural agent in the State of Georgia, and any other persons deemed necessary or desirable, to assist the said referendum agents in performing their duties hereunder. Each such county agricultural agent and other person so appointed shall serve without compensation and may be authorized, by the said referendum agents or any of them, to perform any or all of the functions set forth in paragraphs (a) (6), (7), (8), and (9) (which, in the absence of such appointment of subagents, shall be performed by said referendum agents) in accordance with the requirements herein set forth.

(b) Upon receipt by D. K. Young of all ballots cast in accordance with the provisions hereof, and such other information and data as may be required pursuant hereto, he shall forward the ballots, together with the information and data, to the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. The Fruit and Vegetable Branch shall canvass the ballots and prepare and submit to the Secretary a detailed report covering the results of the referendum, the manner in which the referendum was conducted, the extent and kind of public notice given, and all other information pertinent to the full analysis of the referendum and its results.

(c) Each referendum agent and appointee pursuant hereto shall not refuse to accept a ballot submitted or cast; but should they, or any of them, deem that a ballot should be challenged for any reason, or if such ballot is challenged by any other person, said agent or appointee shall endorse above his signature, on the back of said ballot, a statement that such ballot was challenged, by whom challenged, and the reasons therefor; and the number of such challenged ballots shall be stated when they are forwarded as provided herein.

(d) All ballots shall be treated as confidential.

The Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, is hereby authorized to prescribe additional instructions, not inconsistent with the provisions hereof, to govern the procedure to be followed by the said referendum agents and appointees in conducting said referendum.

Copies of the aforesaid marketing agreement and order may be examined in the Office of the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., and at the Southeastern Marketing Field Office, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 449 West Peachtree Street, Atlanta, Georgia.

Ballots to be cast in the referendum may be obtained from any referendum agent, and any appointee hereunder.

Done at Washington, D. C., this 27th day of December 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-24; Filed, Jan. 2, 1947; 8:49 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR, Ch. I]

[File No. 21-358]

WATCH CASE INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 27th day of December A. D. 1946.

In the matter of proposed trade practice rules for the Watch Case Industry.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties or groups (including consumers) affected by or having an interest in the proposed trade practice rules for the Watch Case Industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum brief, or other communication, to be filed with the Commission not later than January 21, 1947. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., January 21, 1947, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, partnerships, corporations, associations, or other parties or groups (including consumers) who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 47-5; Filed, Jan. 2, 1947; 8:52 a. m.]

NOTICES

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-108, 59-81]

CRESCENT PUBLIC SERVICE CO. ET AL.

ORDER RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of December A. D. 1946.

In the matters of Crescent Public Service Company, Central Ohio Light & Power Company, Colorado Central Power Company, Empire Southern Service Company, Helene Curley Rea, Robert W. Rea, Floyd W. Woodcock, Kathleen T. Woodcock, Robin Corporation, (Applicants) File No. 54-108; Crescent Public Service Company, Central Ohio Light & Power Company, Colorado Central Power Company, Empire Southern Service Company, (Respondents) File No. 59-81.

The Commission having issued its findings and opinion dated January 22, 1946, and its supplemental findings and order dated February 1, 1946, in which, among other things, we approved an amended plan filed by Crescent Public Service Company ("Crescent"), a registered holding company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and we granted and permitted to become effective certain applications and declarations of Crescent and Central Ohio Light & Power Company ("Central Ohio") in connection with a proposed recapitalization of Central Ohio; and

The Commission in its memorandum findings and order dated March 28, 1946, having granted the application of Central Ohio with respect to the proposed sale at competitive bidding of 12,000 shares of new preferred stock; and

The Commission in the above mentioned orders having reserved jurisdiction over the payment of all fees and expenses in connection with Crescent's section 11 (e) plan, as amended, and related transactions, and the issuance and sale by Central Ohio of 12,000 shares of new preferred stock; and

Information having been provided with respect to the fees and expenses of Crescent and Central Ohio incurred prior to October 31, 1946, in connection with said plan, as amended, and related transactions and the issuance and sale by Central Ohio of 12,000 shares of new preferred stock; and

Crescent and Central Ohio having stated further that when a final determination has been made of Crescent's Federal Tax liabilities a request will be filed with the Commission for approval of any fees and expenses incurred subsequent to October 31, 1946; and

The Commission having examined the records and the data submitted in support of the fees and expenses incurred prior to October 31, 1946, and finding that the amounts thereof, under the circumstances of this case, are not unreasonable and that jurisdiction over such matters should be released;

It is hereby ordered, That the jurisdiction heretofore reserved over the fees and expenses of Crescent and Central Ohio arising out of the aforementioned transactions be released, as provided below:

	To be paid by Crescent	To be paid by Central Ohio	Total
Taxes and SEC filing fees	$474	$1,446	$1,920
Accounting services	630	1,583	2,213
Trustees fees and expenses	10,859	----	10,859
Transfer agents fees and expenses	859	1,638	2,497
Printing	11,066	10,011	21,077
Preparation of securities	400	422	822
Legal expenses:			
Miles, Walsh, O'Brien & Morris	22,000	6,000	28,000
Morris, Steel, Rodney, Nichols & Arsht	1,750	----	1,750
Pam, Hurd and Reichman	500	----	500
Barnes, Dechert, Price and Smith	350	----	350
Chapman and Cutler	35	----	35
Power & McConnaughey	----	1,500	1,500
Miller & Chevalier	1,500	----	1,500
Lawyers expenses	3,348	1,925	5,273
Total	29,483	9,425	38,908
Company expenses	7,408	5,427	12,835
Engineer's fees and expenses	3,418	----	3,418
Grand total	64,597	29,952	94,549

It is further ordered, That the reservation of jurisdiction over the payment of any fees and expenses by Crescent incurred subsequent to October 31, 1946, in connection with its section 11 (e) plan, as amended, be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-7; Filed, Jan. 2, 1947; 8:51 a. m.]

[File No. 31-539]

J. G. WHITE & CO., INC.

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of December A. D. 1946.

J. G. White & Company, Inc., having heretofore been granted a temporary exemption from the Public Utility Holding Company Act of 1935, pursuant to section 3 (a) (4) thereof, by Commission order of December 26, 1945; such exemption having been granted for a period of twelve months in connection with the acquisition by J. G. White & Company, Inc. of certain interests in The Trinidad Electric Transmission, Railway and Gas Company (now Frontier Power Company), except that J. G. White & Company, Inc. and its subsidiaries [1] as such were not exempted from the provisions of sections 6, 7, 9, 10, 12 (b), 12 (c) and 12 (f) of the act insofar as these sections concern Frontier Power Company; and

J. G. White & Company, Inc. having requested that the Commission extend the period of such exemption to and including January 31, 1947; and

The Commission having considered such request and deeming it appropriate in the public interest and in the interests of investors and consumers to grant such request:

It is ordered, That the exemption heretofore granted J. G. White & Company, Inc., and its subsidiaries, as such, pursuant to section 3 (a) (4) of the act, for a period of twelve months from the date of acquisition of the common stock of The Trinidad Electric Transmission, Railway and Gas Company, be, and hereby is, extended to and including January 31, 1947 except that J. G. White & Company, Inc. and its subsidiaries, as such, shall not be exempted from the provisions of sections 6, 7, 9, 10, 12 (b), 12 (c) and 12 (f) of the act insofar as these sections concern Frontier Power Company (formerly The Trinidad Electric Transmission, Railway and Gas Company).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-10; Filed, Jan. 2, 1947; 8:50 a. m.]

[1] J. G. White & Company, Inc., in addition to its interests in Frontier Power Company, has interests in certain foreign public utility companies in respect of which it has been granted exemption as a holding company pursuant to section 3 (a) (5) of the act. See Holding Company Act Release No. 6332.

[File No. 70-1308]

ARKANSAS-MISSOURI POWER CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of December A. D. 1946.

Arkansas-Missouri Power Corporation ("Arkansas"), a registered holding company having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 12 (d) and 12 (e) thereof and Rules U-44 and U-62 thereunder with respect, among other things, to the following:

Arkansas, a Delaware corporation, proposes to transfer its assets to Arkansas-Missouri Power Company, a corporation recently organized under the laws of the State of Arkansas, which company will assume the liabilities of Arkansas and will issue its capital stock to the stockholders of Arkansas on a share for share basis upon the surrender for cancellation of the outstanding shares of capital stock of Arkansas. Arkansas will then dissolve.

Arkansas having proposed to solicit proxies in connection with a special meeting of its stockholders to be called for the purpose of voting upon the said proposals, and having filed copies of the proposed notice of such meeting, proxy, and proxy statement; and

Arkansas having requested that the declaration with respect to the proxy solicitation material be considered and disposed of independently of the principal transactions and that the Commission enter its separate order permitting said declaration as to all such proxy solicitation material to become effective; and

It appearing that the solicitation of authorizations of stockholders, as proposed to be conducted, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder that the Commission issue any order with respect thereto other than an order permitting the declaration as to such solicitation to become effective:

It is therefore ordered, That, without passing upon the merits of the application-declaration filed with respect to the principal transactions herein, the declaration as to solicitation of authorizations be, and it is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-8; Filed, Jan. 2, 1947; 8:50 a. m.]

[File No. 70-1407]

WISCONSIN POWER AND LIGHT CO. AND NORTH WEST UTILITIES CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of December A. D. 1946.

North West Utilities Company ("North West"), a registered holding company, and its subsidiary, Wisconsin Power and Light Company ("Wisconsin"), a public utility company, having filed a joint application and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 with respect to the following transactions:

Wisconsin proposes to issue and sell to North West, and North West proposes to acquire, 100,000 shares of common stock of the par value of $10 per share for a cash consideration of $1,000,000. Expenses estimated at $2,100, will be paid by Wisconsin. Wisconsin proposes to use the net proceeds for the payment in part of the cost of additions and betterments to its utility facilities. All holders of record of the common stock of Wisconsin, other than North West, have waived their preemptive rights with respect to the common stock proposed to be issued.

Said application having been filed on November 25, 1946, and the latest amendment thereto having been filed on December 9, 1946, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The applicants having requested that the Commission's order granting the application be issued at an early date and become effective forthwith in order to permit the consummation of the proposed transactions without delay and the Commission deeming it appropriate to grant such request; and

The Commission finding that the Public Service Commission of Wisconsin has expressly authorized the transactions hereinabove set forth and the Commission being satisfied on the basis of the record that the applicable requirements of the act, particularly sections 6 (b) and 10 thereof, are met, and that it is appropriate in the public interest and in the interest of investors and consumers that the application, as amended, be granted;

It is hereby ordered, Effective forthwith, pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-9; Filed, Jan. 2, 1947; 8:50 a. m.]

[File No. 70-1415]

CONSOLIDATED ELECTRIC AND GAS CO. AND CHAMBERSBURG GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of December A. D. 1946.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and Chambersburg Gas Company ("Chambersburg"), a gas utility subsidiary of Consolidated, have filed a joint application-declaration, with an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder regarding the following transactions:

Chambersburg, a wholly-owned subsidiary of Consolidated, has entered into an agreement with the Borough of Chambersburg, Pennsylvania, pursuant to which the Borough is purchasing, or causing to be purchased, from Chambersburg all of its assets except cash, accounts receivable, and Government securities owned by Chambersburg, for the sum of $370,000, in cash. The amendment filed in these proceedings contains a copy of an order of the Pennsylvania Public Utility Commission approving the purchase and sale of these assets.

As at October 31, 1946, Chambersburg had outstanding 6% demand notes in the aggregate base amount of $37,579 and 3,754 shares of common stock, $50 par value per share, all owned by Consolidated. These securities of Chambersburg are pledged by Consolidated with Central Hanover Bank and Trust Company as part security for certain indebtedness of Consolidated. Upon the consummation of the sale by Chambersburg of all of its physical assets, Chambersburg proposes to discharge its note indebtedness to Consolidated and to pay to Consolidated $310,000 as liquidation dividend.

Consolidated proposes to deposit with Central Hanover Bank and Trust Company $370,000 (approximately $22,500 from cash on hand in addition to the sums to be received from Chambersburg) as part payment on its indebtedness and in order to obtain release of the pledged securities of Chambersburg. Consolidated thereupon proposes to deliver the promissory notes to Chambersburg for cancellation against the payment, above mentioned.

Subsequently, but not later than May 1, 1947, Chambersburg proposes to make its final distribution in liquidation (as at October 31, 1946 this would amount to $35,904 in cash): Consolidated will then assume any remaining liabilities of Chambersburg and surrender to Chambersburg its common stock for retirement and cancellation in complete liquidation and dissolution of Chambersburg.

The joint application-declaration was filed on December 9, 1946. Notice of this filing was duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission has not received a request for hearing with respect thereto within the period specified in said notice, or otherwise, and has not ordered a hearing thereon.

The Commission finding with respect to this joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application be granted and said joint declaration be permitted to become effective; and further deeming it appropriate to grant the request of applicants-declarants to accelerate the effective date of this order;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that this joint application be, and the same hereby is, granted and that this joint declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-11; Filed, Jan. 2, 1947; 8:50 a. m.]

[File No. 43-160]

COLUMBIA GAS & ELECTRIC CORP. AND ATLANTIC SEABOARD CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pennsylvania, on the 18th day of December 1946.

Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, and its wholly-owned subsidiary, Atlantic Seaboard Corporation ("Seaboard"), also a registered holding company, having filed a supplemental declaration to a previous declaration permitted to become effective by this Commission (4 S. E. C. 406 (1939)) pursuant to the Public Utility Holding Company Act of 1935, particularly section 7 thereof, with respect to the following adjustments in their accounts:

(1) The reclassification by Columbia of the balance at September 30, 1946, in all of its present surplus accounts and "Unclassified Profit or Loss from Sale of Investments in Subsidiaries," aggregating $133,723,378, into an account designated "Capital Surplus."

(2) The restatement by Columbia and Seaboard of their investments in their respective subsidiaries to adjusted underlying net book worth at September 30, 1946, and the charging by Columbia in connection therewith of $6,624,825 to said Capital Surplus and of $4,427,067 to presently existing Reserve for Investments.

(3) The crediting to said Capital Surplus by Columbia of the remaining balance of $1,741,492 in Reserve for Investments and $794,819 of payments to be made by subsidiaries from their surpluses at September 30, 1946.

(4) The appropriation by Columbia of $4,840,056 from said Capital Surplus for the creation of additional Reserves for Investments by Columbia to provide for the excess of book value of property accounts of subsidiaries over the original cost thereof; and the appropriation by Seaboard of $796,628 from its Special Capital Surplus for the creation of similar Reserves for Investments.

(5) The transfer by Columbia of $110,068,866 of said Capital Surplus to common stock capital account, thereby making the stated value thereof equivalent to $10 per share, leaving a balance in Capital Surplus of $14,725,943, which will be available for appropriate charges applicable to the period prior to October 1, 1946.

Said supplemental declaration having been filed on November 26, 1946, and notice of said filing having been given in the form and manner prescribed in Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

Columbia and Seaboard having requested that the Commission take appropriate action to accelerate its order herein and that said order become effective forthwith, and the Commission deeming it appropriate to grant such request; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective.

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-12; Filed, Jan. 2, 1947; 8:51 a. m.]

[File No. 70-1417]

COLUMBIA GAS & ELECTRIC CORP.

NOTICE REGARDING FILING OF DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of December 1946.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Columbia Gas & Electric Corporation ("Columbia"), a registered holding company. Declarant has designated section 12 of the act and Rule U-45 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 30, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 30, 1946, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration, which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Columbia proposes to make a cash contribution of $1,000,000 to its wholly-owned subsidiary, United Fuel Gas Company ("United"), to enable United to meet obligations incurred in connection with a construction program. Columbia proposes to increase its investment in the common stock of United in the amount of the capital contribution which United will credit to "Paid-In Capital Surplus".

Declarant states that the transactions are not subject to the jurisdiction of any State Commission or any other Federal commission.

Columbia requests that the Commission's order permitting the declaration to become effective be issued at the earliest date possible.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-13; Filed, Jan. 2, 1947; 8:51 a. m.]

[File No. 70-1416]

COLUMBIA GAS & ELECTRIC CORP. AND ATLANTIC SEABOARD CORP.

NOTICE REGARDING FILING OF JOINT DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of December 1946.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, and by its wholly-owned subsidiary, Atlantic Seaboard Corporation ("Seaboard"), also a registered holding company. Declarants have designated section 12 of the act and Rule U-45 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 30, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 30, 1946, said joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration, which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Columbia proposes to make a capital contribution of $500,000 in cash to Seaboard, which, in turn, proposes to make a similar contribution to its wholly-owned subsidiary, Virginia Gas Transmission Corporation ("Virginia"), to enable Virginia to meet obligations incurred in connection with its construction program. Columbia proposes to add the amount of the contribution to the book value of its investment in the common stock of Seaboard, and Seaboard proposes to increase its investment in the common stock of Virginia in like

manner. Both Seaboard and Virginia will credit the capital contribution to "Paid-In Capital Surplus."

Declarants state that the proposed transactions are not subject to the jurisdiction of any State commission or any other Federal commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-14; Filed, Jan. 2, 1947; 8:51 a. m.]

[File Nos. 70-1266 and 70-965]

COLUMBIA GAS AND ELECTRIC CORP. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of December 1946.

In the matters of Columbia Gas & Electric Corporation, Central Kentucky Natural Gas Company, and Cincinnati Gas Transportation Company, File No. 70-1266; Columbia Gas & Electric Corporation, United Fuel Gas Company, Warfield Natural Gas Company, Huntington Development and Gas Company, Point Pleasant Natural Gas Company, Central Kentucky Natural Gas Company, and Cincinnati Gas Transportation Company, File No. 70-965.

Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, and certain of its subsidiaries, namely, United Fuel Gas Company ("United Fuel"), Warfield Natural Gas Company ("Warfield"), Huntington Development and Gas Company ("Huntington Development") and Point Pleasant Natural Gas Company ("Point Pleasant"), have filed a joint application-declaration with amendments thereto pursuant to sections 6 (a), 9 (a) and 10 of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, regarding the acquisition by United Fuel of all the assets of Warfield, Huntington Development and Point Pleasant and the dissolution of these latter companies.

Columbia and its subsidiaries, Central Kentucky Natural Gas Company ("Central Kentucky") and Cincinnati Gas Transportation Company ("Cincinnati Gas"), have also filed a joint application-declaration pursuant to the above sections of the act and the rules promulgated thereunder, regarding the acquisition by Central Kentucky of all the assets of Cincinnati Gas and the dissolution of the latter company.

The several steps proposed to carry out the foregoing transactions are as follows:

1. United Fuel will increase its authorized common stock from $300,000, consisting of 300,000 shares of $1 par value (all of which shares are now outstanding and owned by Columbia) to $400,000 consisting of 400,000 shares of the same par value.

2. United Fuel will acquire all the assets of Warfield, Huntington Development and Point Pleasant and, in consideration therefor, will assume all their liabilities, obligations and indebtedness existing at the date of acquisition of such assets, and issue to the latter companies shares of its $1 par value stock in the following amounts, respectively:

	Shares
Warfield	40,478
Huntington Development	40,223
Point Pleasant	500
Total	81,201

3. After the transactions described in paragraph 2 above have been consummated Warfield will exchange the 40,478 shares of United Fuel common stock for its own outstanding 5,470 shares of common stock; Huntington Development will exchange 20,223 shares of United Fuel common stock for its own outstanding 14,445 shares of preferred stock and 20,000 shares of United Fuel common stock for its own outstanding 40,000 shares of common stock; and Point Pleasant will exchange the 500 shares of United Fuel common stock for its own outstanding 200 shares of common stock. Warfield, Huntington Development and Point Pleasant upon the acquisition of the shares of their own capital stocks will cancel the same and dissolve.

4. Pursuant to the exchanges set forth in the foregoing paragraph Columbia will acquire 81,183.7 shares of common stock of United Fuel and minority stockholders owning 2 shares of Huntington Development preferred stock and 29 shares of common stock will receive in exchange therefor 17.3 shares of United Fuel common stock.

5. Central Kentucky will increase its common stock from $1,500,000, consisting of 60,000 shares of $25 par value, to $5,000,000, consisting of 200,000 shares of the same par value.

6. Central Kentucky will acquire all the assets of Cincinnati Gas in exchange for the issuance to Cincinnati Gas of 128,139 shares of the Central Kentucky common stock, and will assume all the liabilities, obligations and indebtedness of Cincinnati Gas existing at the date of acquisition of its assets.

7. After the transactions described in paragraph 6 above have been consummated Cincinnati Gas will exchange the 128,139 shares of common stock of Central Kentucky for its own outstanding 30,000 shares of preferred stock and 38,500 shares of common stock. Cincinnati Gas upon acquiring the shares of its own preferred and common stocks will cancel the same and dissolve.

8. Columbia will acquire 127,563 shares of common stock of Central Kentucky in exchange for Columbia's surrender of 30,000 shares of preferred stock and 38,308 shares of common stock of Cincinnati Gas, and minority stockholders holding 192 shares of common stock of Cincinnati Gas will acquire 576 shares of the common stock of Central Kentucky in exchange for their surrender of 192 shares of common stock of Cincinnati Gas.

The Commission has been requested to enter an order finding that the proposed transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and that such order conform to the formal requirements of sections 371, 373 and 1808 (f) of the Internal Revenue Code, as amended.

The Public Service Commission of West Virginia has approved the acquisition by United Fuel of the assets of Point Pleasant, Warfield and Huntington Development, and the approval of the Public Service Commission of Kentucky and the Federal Power Commission has also been obtained in respect of certain aspects of the matters proposed. The approval of these latter two Commissions has also been obtained in respect of the acquisition by Central Kentucky of the assets of Cincinnati Gas.

The Commission having issued a notice of filing and order for hearing on said applications-declarations and having directed that the proceedings thereon be consolidated, and a public hearing having been held on such matters, after appropriate public notice; the Commission having considered the record in the matter and having made and filed its findings and opinion herein:

It is ordered, That said applications-declarations, as amended, be, and the same hereby are, granted and permitted to become effective forthwith subject to the terms and conditions contained in Rule U-24.

It is further ordered, That United Fuel be permitted to pay principal and interest on such portion of its 6% demand indebtedness due Columbia as might have originated from dividends paid out of capital or unearned surplus.

It is further ordered, That the increases, issuances, exchanges, sales, transfers, distributions, acquisitions and dissolutions hereinabove described in paragraphs (1) to (8) above inclusive, as proposed by the applications-declarations, as amended, are necessary or appropriate to the integration and simplification of the holding company system of which Columbia, United Fuel, Warfield, Huntington Development, Point Pleasant, Central Kentucky and Cincinnati Gas are members and are necessary or appropriate to effectuate the provisions of subsection (b) of section 11 of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-15; Filed, Jan. 2, 1947; 8:51 a. m.]

[File No. 70-1413]

COLUMBIA GAS AND ELECTRIC CORP. AND THE MANUFACTURERS LIGHT AND HEAT CO.

ORDER GRANTING AMENDED APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of December 1946.

Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, and its public utility subsidiary,

The Manufacturers Light & Heat Company ("Manufacturers"), having filed a joint application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 9 and 10 thereof, with respect to the following transactions:

The issuance and sale by Manufacturers to Columbia of $1,000,000 principal amount of 3¼% instalment promissory notes, such notes to be unsecured and non-negotiable, the principal amount thereof to be payable in equal annual instalments on August 15th in each of the years 1950 to 1974, inclusive, for the purpose of enabling Manufacturers to meet current obligations arising from construction activities during 1946;

The issuance of said notes by Manufacturers having been approved by the Pennsylvania Public Utility Commission by its Securities Certificate dated December 9, 1946;

Said application-declaration having been filed on December 6, 1946 and an amendment thereto having been filed on December 16, 1946, and notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interests of investors and consumers that said application be granted and said declaration be permitted to become effective; and

Columbia and Manufacturers having requested that the Commission take appropriate action to accelerate its order herein and that the order become effective forthwith, and the Commission deeming it appropriate to grant such request:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-16; Filed, Jan. 2, 1947; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 7931]

TATEKI IRIYE

In re: Bank account owned by Tateki Iriye. F-39-3651-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tateki Iriye, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Tateki Iriye, by Seattle Trust and Savings Bank, 804 Columbia Street, Seattle, Washington, arising out of a savings account, Account Number 8658, entitled Dr. Tateki Iriye, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of Executive Order 9193, as amended.

(40 Stat. 411; 55 Stat. 839; Pub. Law 322, 79th Cong.; 60 Stat. 50; Pub. Law 671, 79th Cong.; 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 19, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-22049; Filed, Dec. 31, 1946; 8:49 a. m.]

[Vesting Order 7930]

MAX MULLER

In re: Estate of Max Muller, deceased. File D-28-9876; E. T. sec. 13947.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Berkop, Willy Berkop, Konrad Berkop, Kathe Berkop, Alfred Berkop and Marie Lohrman, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany);

2. That the issue of Ernst Berkop; the issue of Willy Berkop; the issue of Konrad Berkop; the issue of Kathe Berkop; the issue of Alfred Berkop and the issue of Marie Lohrman, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Max Muller, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Herman J. Rubenstein, as Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

and it is hereby determined:

5. That to the extent that the above named persons and the issue of Konrad Berkop, the issue of Kathe Berkop, the issue of Alfred Berkop, the issue of Willy Berkop, the issue of Ernst Berkop and the issue of Marie Lohrman, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839; Pub. Law 322, 79th Cong., 60 Stat. 50; Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. App. 1, 616; E. O. 9193, July 6, 1942, 7 F. R. 5205; E. O. 9567, June 8, 1945, 10 F. R. 6917; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on December 19, 1946.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 46-22048; Filed, Dec. 31, 1946; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA

ORDER OPENING LANDS TO MINING LOCATION, ENTRY, AND PATENTING

Under authority and pursuant to the provisions of the act of April 23, 1932

(47 Stat. 136, 43 U. S. C. sec. 154) and the regulations thereunder, and subject to (1) valid existing rights, (2) the provisions of the act of August 1, 1946 (Public Law 585—79th Congress) and (3) the terms of the following quoted stipulations: *It is hereby ordered,* That the S½S½NE¼SW¼ and SE¼ SW¼ sec. 5, T. 2 S., R. 12 E., Gila and Salt River Meridian, Arizona, be, and the same are hereby, opened to location, entry and patenting under the general mining laws, the quoted stipulations to be executed and acknowledged in favor of the United States by the locators, for their heirs, successors and assigns, and recorded in the county records and in the United States District Land Office at Phoenix, Arizona, before locations are made:

In carrying on the mining and/or milling operations contemplated hereunder Locators will, by means of substantial dikes or other adequate structures, confine all tailings, debris and harmful chemicals in such a manner that the same shall not be carried beyond the herein described lands by storm waters or otherwise.

There is reserved to the United States, its successors and assigns the prior right to use any of the lands herein described to construct, operate, and maintain dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, and appurtenant irrigation structures, without any payment made by the United States or its successors for such right, with the agreement on the part of the Locator that if the construction of any or all of such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands should be made more expensive by reason of the existence of improvements or workings of the Locator thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto, and that within thirty days after demand is made upon the Locator for payment of any such sums, the Locator will make payment thereof to the United States or its successors constructing such dams, dikes, reservoirs, canals, wasteways, laterals, ditches, telephone and telegraph lines, electric transmission lines, roadways, or appurtenant irrigation structures across, over, or upon said lands. The Locator further agrees that the United States, its officers, agents, and employees and its successors and assigns shall not be held liable for any damage to the improvements or workings of the Locator resulting from the construction, operation, and maintenance of any of the works hereinabove enumerated. Nothing contained in this paragraph shall be construed as in any manner limiting other reservations in favor of the Locator.

Any location or entry made and any patent issued for the above-described land will be subject to a reservation to the United States, pursuant to the act of August 1, 1946, of all uranium, thorium or other materials therein which are or may be determined by the Atomic Energy Commission to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine and remove the same, and every such location, entry, or patent shall contain a reference to the above quoted stipulations and to the volume and page where they are recorded in the county records.

This order shall not become effective to change the status of the lands until 10:00 a. m. on February 21, 1947, at which time the lands shall, subject to valid existing rights and the provisions of existing withdrawals and of this order, become subject to disposition under the United States mining laws only, as above provided.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

DECEMBER 20, 1946.

[F. R. Doc. 47–20; Filed, Jan. 2, 1947; 8:50 a. m.]

CALIFORNIA

AIR-NAVIGATION SITE WITHDRAWAL 83 REDUCED

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U. S. C., title 49, sec. 214), it is ordered as follows:

The order of the Secretary of the Interior dated April 19, 1933, withdrawing certain lands in California for the use of the Department of Commerce in the maintenance of air-navigation facilities is hereby revoked so far as it affects the lands hereinafter described.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on February 21, 1947. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from February 21, 1947 to May 23, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from February 1, 1947 to February 21, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on February 21, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on May 23, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from May 3, 1947 to May 23, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on May 23, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Sacramento, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Sacramento, California.

The lands affected by this order are described as follows:

SAN BERNARDINO MERIDIAN

T. 14 N., R. 9 E.,
Sec. 19, S½;
Sec. 30, N½.

The area described contains 630.49 acres

These lands are reported to be desert in character with a coarse sand to gravelly soil, entirely unsuitable for cultivation.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

DECEMBER 20, 1946.

[F. R. Doc. 47–21; Filed, Jan. 2, 1947; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 535, et al.]

ALL AMERICAN AVIATION, INC., ET AL.; GREAT LAKES AREA CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications of All American Aviation, Inc., and other applicants for certificates, and amend-

ments of certificates of public convenience and necessity, known as the Great Lakes Area case, under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above proceeding is assigned to be held on January 20, 1947, 10 a. m., eastern standard time, in Room 5042 Commerce Bldg., 14th Street and Constitution Ave. N. W., Washington, D. C., before the Board.

Dated at Washington, D. C., December 27, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-22; Filed, Jan. 2, 1947; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-6019]

NORTHERN STATES POWER CO. AND NESHONOC LIGHT AND POWER CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING MERGER OF FACILITIES

DECEMBER 27, 1946.

Notice is hereby given that, on December 27, 1946, the Federal Power Commission issued its order authorizing and approving merger of facilities, entered December 27, 1946, in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-19; Filed, Jan. 2, 1947; 8:50 a. m.]

[Docket No. G-769]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

DECEMBER 27, 1946.

Notice is hereby given that, on December 27, 1946, the Federal Power Commission issued its findings and order issuing certificate of public convenience and necessity, entered December 27, 1946, in the above-designated matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 47-28; Filed, Jan. 2, 1947; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 79]

RECONSIGNMENT OF ONIONS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Illinois, December 21, 1946, by Skallerup Company, of car URT 9104, onions, on the Wood Street Terminal, to Skallerup Company, Hannibal, Mo. (C. B. & Q.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of December 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-30; Filed, Jan. 2, 1947; 8:47 a. m.]

UNITED STATES TARIFF COMMISSION

[List 200, Application 330]

S. S. WHITE DENTAL MFG. CO. ET AL.

APPLICATION RECEIVED FOR INVESTIGATION

DECEMBER 27, 1946.

Application as listed below has been filed with the United States Tariff Commission for investigation under the provisions of section 336 of the Tariff Act of 1930.

Name of article	Purpose of request	Date received	Name and address of applicant
Dental burs	Increase in duty	Dec. 19, 1946	S. S. White Dental Mfg. Co., Philadelphia, Pa. The Ransom & Randolph Co., Toledo, Ohio. The Lee S. Smith & Sons Mfg. Co., Pittsburgh Pa.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets, N. W., Washington, D. C., where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN,
Secretary.

[F. R. Doc. 47-86; Filed, Jan. 2, 1947; 8:57 a. m.]

OFFICE OF TEMPORARY CONTROLS

Office of Price Administration

[SO 81, Amdt. 1 to Order 5]

CERTAIN IMPORTED BLACKSTRAP MOLASSES

SPECIAL MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and in accordance with section 11 of Supplementary Order 81, *It is ordered:* Order No. 5 under Supplementary Order 81 is amended as follows:

1. Section (a) is amended by deleting the second sentence beginning with the words, "The imported blackstrap molasses . . . ".

2. Section (b) is amended by deleting the words "approximately 1,400,000 gallons of".

This amendment shall become effective January 3, 1947.

Issued this 2d day of January 1947.

J. W. FOLLIN,
Acting Temporary Controls Administrator.

Opinion Accompanying the Issuance of Amendment No. 1 to Order No. 5 Under Supplementary Order No. 81

The accompanying amendment to Order No. 5 under Supplementary Order 81 makes no change in the terms of that order other than to broaden its scope from the specific quantity of 1,400,000 gallons to cover the resale of any quantity of imported blackstrap molasses sold by the Commodity Credit Corporation at New Orleans, Louisiana. The reasons set forth in the opinion accompanying the issuance of Order No. 5 under Supplementary Order 81 are applicable to this action and are, accordingly, incorporated herein by reference.

[F. R. Doc. 47-127; Filed, Jan. 2, 1947; 11:34 a. m.]